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HEARING DATE & TIME:
AUGUST 1, 2019 AT 10:00 AM

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

CHAPTER 13

LESLIE SCHNEIDERMAN,
Debtor.

Case No.: 18-23175-rdd

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**STATUS REPORT ON LOSS MITIGATION AND
THE DEBTOR'S OPPOSITION TO THE TRUSTEE'S
MOTION TO DISMISS HIS CASE**

LESLIE SCHNEIDERMAN, the above-referenced debtor herein (the "Debtor"), by and through his attorneys, **PENACHIO MALARA, LLP**, submits this status report and opposition to the Trustee's Motion to Dismiss.

1. At the outset of this case, the Debtor sought Loss Mitigation for non-retention options with respect to his home at 11 Old Orchard Road, Rye Brook, NY (the "Home"). Loss Mitigation was terminated. Although the Debtor tried to sell his home, he was unable to agree to terms with a prospective buyer. The Debtor has decided to surrender the Home to the secured lender, Rushmore.

2. Under his Chapter 13 plan, the Debtor is required to remit to the Trustee \$185.00 per month for sixty months. Secured tax claims will need to be reclassified with the surrender of the Home. The tax liabilities emanate from 2011 and 2013 and shortly thereafter and may be dischargeable in full or in part.

3. The Debtor would like to explore whether the tax claims can be reduced or

reclassified.

4. Counsel, who worked very hard on the Debtor's case, would like to make a fee application prior to any dismissal.

WHEREFORE, it is respectfully requested that the Trustee's motion be deferred and to enable the Debtor explore alternate exit strategies.

Dated: White Plains, New York

August 1, 2019

Respectfully submitted,

/s/ Anne Penachio

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